

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
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Filed: June 30, 2022

Mr. Lowell V. Sturgill Jr.
U.S. Department of Justice
Civil Division, Appellate Staff
950 Pennsylvania Avenue, N.W.
Room 9140
Washington, DC 20530

Re: Case No. 22-3413, *Michael Poffenbarger v. Frank Kendall, et al*
Originating Case No. 3:22-cv-00001

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Robin L Baker
Case Manager
Direct Dial No. 513-564-7014

cc: Mr. Thomas Bernard Bruns
Mr. Richard W. Nagel
Mr. Christopher David Wiest

Enclosure

Mandate to issue

Case No. 22-3413

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

MICHAEL POFFENBARGER

Plaintiff - Appellee

v.

FRANK KENDALL, in his official capacity as Secretary of the Air Force; LIEUTENANT GENERAL ROBERT I. MILLER, in his official capacity as Surgeon General of the Air Force; LIEUTENANT GENERAL RICHARD W. SCOBEE, in his official capacity as Commander, Air Force Reserve Command; MAJOR GENERAL JEFFREY T. PENNINGTON, in his official capacity as Commander, 4th Air Force; LIEUTENANT COLONEL CHRISTOPHER KOJAK, in his official capacity as Commander, 445th Operations Support Squadron; COLONEL RAYMOND A. SMITH, JR., in his official capacity as Commander, 445th Airlift Wing; UNITED STATES OF AMERICA

Defendants - Appellants

Upon consideration of the appellant's motion to voluntarily dismiss the appeal herein pursuant to Rule 42(b), Federal Rules of Appellate Procedure,

It is **ORDERED** that the motion is **GRANTED** and the appeal is dismissed.

**ENTERED PURSUANT TO RULE 45(a),
RULES OF THE SIXTH CIRCUIT**
Deborah S. Hunt, Clerk

Issued: June 30, 2022

